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**STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.**



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Assistant Commissioner for Patents  
Washington, D.C. 20231

**Box Missing Parts**

Re: U.S. Patent Application  
Appl. No. 09/017,715; Filed: February 3, 1998  
For: **Breast Cancer Specific Gene 1**  
Inventors: **Ji et al.**  
Our Ref: 1488.0810003

Sir:

In reply to the "Notice to File Missing Parts of Application--Filing Date Granted," dated March 12, 1998, Applicants submit the following documents for appropriate action by the U.S. Patent and Trademark Office:

1. Fee Transmittal (PTO/SB/17);
2. Petition for Extension of Time under 37 C.F.R. § 1.136 (*in duplicate*);  
**07/21/1998 MPEOPLES 00000026 09017715**  
**01 FC:101**  
**02 FC:102**  
**03 FC:105**  
**790.00 DP**
3. Copy of the Notice to File Missing Parts;  
**328.00 DP**  
**130.00 DP**
4. Original Declaration, executed by the inventors;
5. An original executed Power of Attorney from Assignee;

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Assistant Commissioner for Patents  
July 13, 1998  
Page 2

6. Assignee 37 C.F.R. § 3.73(b) Statement with copy of Assignment attached;
7. Information Disclosure Statement;
8. Form PTO-1449 (9 sheets);
9. 27 Documents (AR1-AT9);
10. Return postcard; and
11. Our Check No. 22288 for \$1,648.00 to cover:  

\$790.00	Filing Fee for Patent Application (37 C.F.R. § 1.16)
\$328.00	Fee for excess claims (37 C.F.R. § 1.16)
\$130.00	Surcharge for late filing of Declaration (37 C.F.R. § 1.16)
\$400.00	For extension of time fees under 37 C.F.R. § 1.136.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. If extensions of time under 37 C.F.R. § 1.136 other than those otherwise provided for herewith are required to prevent abandonment of the present patent application, then such extensions of time are hereby petitioned, and any fees therefor are hereby authorized to be charged to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Kimberlin L. Morley  
Attorney for Applicants  
Registration No. 35,391

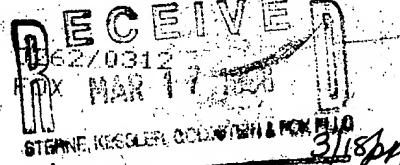


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APPLICATION NUMBER	MARK	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO/TITLE
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09/017,715 02/03/98 JI

STERNE KESSLER GOLDSTEIN & FOX  
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H 1488-081-0000

NOT ASSIGNED

1642

DATE MAILED:

03/12/98

NOTICE TO FILE MISSING PARTS OF APPLICATION

Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of  \$65.00 for a small entity in compliance with 37 CFR 1.27, or  \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a  
 small entity (statement filed)  non-small entity is \$ 1218 .

1. The statutory basic filing fee is:

- missing.  
 insufficient.

Applicant must submit \$ 190 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

2. Additional claim fees of \$ 318 , including any multiple dependent claim fees, are required.

\$ 318 for 4 independent claims over 3.  
\$ for dependent claims over 20.

\$ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

3. The oath or declaration:

- is missing or unexecuted.  
 does not cover the newly submitted items.  
 does not identify the application to which it applies.  
 does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

7. Your filing receipt was mailed in error because your check was returned without payment.

8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules" 37 CFR 1.821-1.825.

9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center

Initial Patent Examination Division (703) 308-1202